

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSFILED
U.S. DISTRICT COURT
MASSACHUSETTS
JAN 6 2005
REKCIVIL ACTION NO. 03CV12592REK
JAN 6 2005
12:05

GAETANO P. DELUCA)	U.S. DISTRICT COURT DISTRICT OF MASS.
Plaintiff)	
v.)	
TOWN OF HINGHAM, HINGHAM)	
BOARD OF HEALTH, PETER B.)	
BICKFORD, CHAIRMAN, RAYMOND E.)	
BEALE, JR., RUTH ANNE BECK,)	
TREASURER/TAX COLLECTOR,)	
BRUCE T. CAPMAN, EXECUTIVE)	
HEALTH OFFICER and FIRST HIGH)	
STREET TRUST)	
Defendants)	

MOTION TO EXTEND TIME TO FILE RESPONSE TO COMPLAINT

Now Comes the Defendants and ask this Honorable Court to grant them a thirty (30) day extension of time to file their initial response to the Complaint. In support of its Motion, the Defendants state:

1. Plaintiff's complaint is one hundred and ninety seven (197) paragraphs and fifty three (53) pages in length. The allegations contained in the Complaint span more than twenty years. In order to fully respond to the Plaintiff's Complaint additional time is necessary.
2. Defendants received the Plaintiff's Complaint on December 23, 2003, without prior notice of the Plaintiff's claim before receiving the Complaint.
3. The allegations of the Complaint are often vague and make general reference to documents and proceedings not specifically identified in the Complaint which must be identified and investigated.
4. Due to Christmas and New Year's holidays, and the holiday vacation plans of potential witnesses, Defendants' counsel was unable to investigate the allegations

of the Complaint and speak with the client regarding this case until January 5, 2004. Defendants' response due by Monday, January 12, 2004.

5. The Defendants have made no previous request for extension of this deadline.
6. The Defendants state that the Plaintiff will suffer no prejudice by reason of the extension requested in this motion.

Wherefore, the Defendants respectfully ask this Court to grant a thirty (30) day continuance to file a responsive pleading in the above captioned matter.

Respectfully submitted,
Town of Hingham et al
By its attorneys


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CERTIFICATE OF SERVICE

I Stacey G. Bloom certify that I have served the foregoing Motion for an Extension of Time to File a Responsive Pleading on Gaetano DeLuca, pro se, 140 High Street, Hingham, MA 02043, by hand.

1/6/04
DATE


Stacey G. Bloom